IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7559 of 2007()

CRIME NO. 377/07 OF MANJESWAR POLICE STATION
CMP.5969/2007 of J.M.F.C.,KASARAGOD

.....

PETITIONER/A1

ABDUL RAHIMAN @ RAHIM,S/O.HAMSA,
AGED 32 YEARS,RESIDING AT DURGIPALLA HOUSE,
NEAR UDAYA SCHOOL,BANKARA,MANJESWAR.

BY ADV. SRI.T.MADHU

RESPONDENTS:

THE STATION HOUSE OFFICER,MANJESWAR
POLICE STATION,REPRESENTED BY THE PUBLIC
PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7559 of 2007

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Dated this the 7th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations for offences punishable, inter alia, under Section 308 r/w. 149 I.P.C. The petitioner is the first accused. The crux of the allegations against the petitioner is that he, along with the co-accused, attacked the driver of a bus plying on the route by throwing stones at the bus/driver. The incident took place on 24.11.2007. The petitioner was arrested on 26.11.2007. Had the stones hit the driver, the vehicle would have gone out of the control and death would have ensued. This appears to be the tenor of the allegations raised. The learned Prosecutor submits that incidents of attack on bus and drivers in this area is threatening the law and order situation.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am

satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

© Except for the purpose of complying with condition No.(b) above, the petitioner shall not enter the jurisdiction of Manjeswar police station during the said period of three months, without the prior permission of the learned Magistrate. The petitioner shall furnish to the Investigating

Officer within seven days of his release the address of his place of residence outside the Manjeswar police station.

(R. BASANT)
Judge

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